

PROB 12B  
(12/98)Rec'd 8/15/06  
JAMES BOHINI  
CLERK**United States District Court**

for

06 AUG 16 AM 9:09

**District of Southern Ohio****Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*Name of Offender: **Billy J Rickett**Case Number: **1:01CR00055**Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber  
Senior United States District Judge**Date of Original Sentence: **April 10, 2002**Original Offense: **Conspiracy to Distribute and Possess with Intent to Distribute Marijuana and Cocaine**Original Sentence: **24 month(s) prison, 48 month(s) supervised release**Type of Supervision: **Supervised Release**Date Supervision Commenced: **November 17, 2003****PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years.  
☒ To modify the conditions of supervision as follows:

**To enter a halfway house for six months****CAUSE**

On April 10, 2002, Mr. Rickett appeared before the Honorable Herman J. Weber, Senior United States District Judge for the Southern District of Ohio and was sentenced to 24 months imprisonment followed by 48 months supervised release after having been charged with Conspiracy to Distribute and Possess with Intent to Distribute Marijuana and Cocaine.

On November 17, 2003, Mr. Rickett was released from the Bureau of Prisons to commence his term of supervised release. Since being on supervision, Mr. Rickett tested positive for the use of marijuana on August 17, 2004. He admitted that using marijuana helps him refrain from the use of alcohol. He has submitted to urinalysis since that time which have been negative. He was also convicted of Operating a Vehicle While Intoxicated on March 21, 2005. As a result of his conviction, the Court was notified and agreed to take no action as Mr. Rickett served 10 days in jail and completed substance abuse treatment.

Unfortunately, on June 1, 2006, Mr. Rickett was arrested again for Operating a Vehicle While Intoxicated. He was convicted of this offense on July 31, 2006 in Adams County, Ohio. He was sentenced to 180 days in jail with 170 suspended and placed on two years probation.

On August 7, 2006, this officer met with Mr. Rickett, his mother and his girlfriend, who is now three months pregnant, at the Adams County Jail prior to him serving his ten days in jail. Mr. Rickett has three other children with Latesha Rickett, who was also a co-defendant in this case. Ms. Rickett was not compliant with her supervised release and was ultimately revoked for her continued use of alcohol and her noncompliance. As a result, she signed custody of their children over to Mr. Rickett. As a result, the three children have been

through a lot with their parent's substance abuse issues.

In meeting with Mr. Rickett and his family, they all agreed that going to prison would be detrimental to Rickett's children. Mr. Rickett's mother and many members of the family have alcohol and drug problems which appears to be hereditary. This officer explained to the family that everyone should be involved in treatment to deal with these issues or they will continue to have problems with alcohol and drugs.

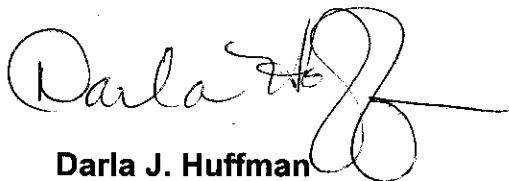
Mr. Rickett agrees that he has a substance abuse problem. Although he completed outpatient treatment in the past, he states he has been unable to stop drinking. Although this officer originally felt very strongly about filing revocation in this matter based on Rickett's second conviction for driving under the influence, this officer is not sure that prison is the best answer. Mr. Rickett has signed Probation Form 49 agreeing to enter a halfway house for six months to help him address his substance abuse issues. This would also enable him to obtain employment and his family can see him while at the halfway house.

Based on the above circumstances, it is respectfully recommended that the Court take notice of the violation and modify Mr. Rickett's conditions of supervised release and order him to serve six months in a halfway house.

Respectfully submitted,

Approved,

by



**Darla J. Huffman**  
U. S. Probation Officer

Dat **August 14, 2006**  
e:

by



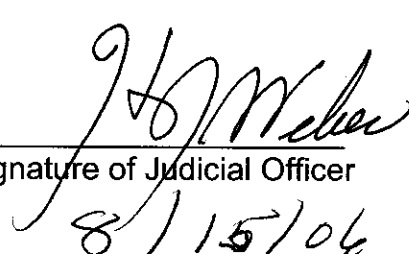
**John Cole**  
Supervising U. S. Probation  
Officer

Dat **August 14, 2006**  
e:

---

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

Date

8/15/06